

MESSAGE NO: 8035203 MESSAGE DATE: 02/04/2008

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-204

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/19/1990 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INST. FOR THE SCOPE RULING ON HEAVY FORGED HAND TOOLS FROM CHINA; FISKARS' MACHETE, GATOR MACHETE AND BRUSH AXE ARE NOT WITHIN THE SCOPE (A-570-204)

MESSAGE NO: 8035203

DATE: 02 04 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 204

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PERIOD COVERED: 10 19 1990 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INST. FOR THE SCOPE RULING ON HEAVY FORGED HAND TOOLS FROM CHINA; FISKARS' MACHETE, GATOR MACHETE AND BRUSH AXE ARE NOT WITHIN THE SCOPE (A-570-204)

1. THE DEPARTMENT OF COMMERCE (THE "DEPARTMENT") RECEIVED A SCOPE RULING REQUEST FROM FISKARS BRANDS INC. ("FISKARS"). THE DEPARTMENT ISSUED A FINAL SCOPE RULING ON 10/29/07, THAT FISKARS' MACHETE, GATOR MACHETE AND BRUSH AXE ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HEAVY FORGED HAND TOOLS FROM THE PEOPLE'S REPUBLIC OF CHINA ("PRC")(A-570-204).

2. THE DEPARTMENT DETERMINED THAT FISKARS' MACHETE, GATOR

MACHETE AND BRUSH AXE ARE MADE FROM A STAMPING PROCESS AND NOT THROUGH A HOT FORGE OPERATION. THEREFORE, FISKARS' MACHETE, GATOR MACHETE AND BRUSH AXE ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HEAVY FORGED HAND TOOLS FROM THE PRC.

3. EFFECTIVE 10/29/07, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 10/19/90 OF FISKARS' MACHETE, GATOR MACHETE AND BRUSH AXE, LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO FISKARS' MACHETE, GATOR MACHETE AND BRUSH AXE, LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF FISKARS' MACHETE, GATOR MACHETE AND BRUSH AXE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 10/19/90.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF HEAVY FORGED HAND TOOLS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING HEAVY

FORGED HAND TOOLS FROM THE PRC.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9: PW).

9. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party